



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2303078  
**Applicant Name:** Debora Goodman  
**Address of Proposal:** 9216 Stone Ave N

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into eight (8) lots (unit lot subdivision). Proposed lot sizes are: A) 1,280 square feet, B) 1,282 square feet, C) 1,270 square feet, D) 1,255 square feet, E) 1,255 square feet, F) 1,296 square feet, G) 1,282 square feet; and H) 1,305 square feet. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Related projects: establish use as and construct four two-unit townhouse structures and occupy per plan all under MUP No. 2005905 Permit No. 724920.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into eight (8) lots as a unit lot subdivision. (Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

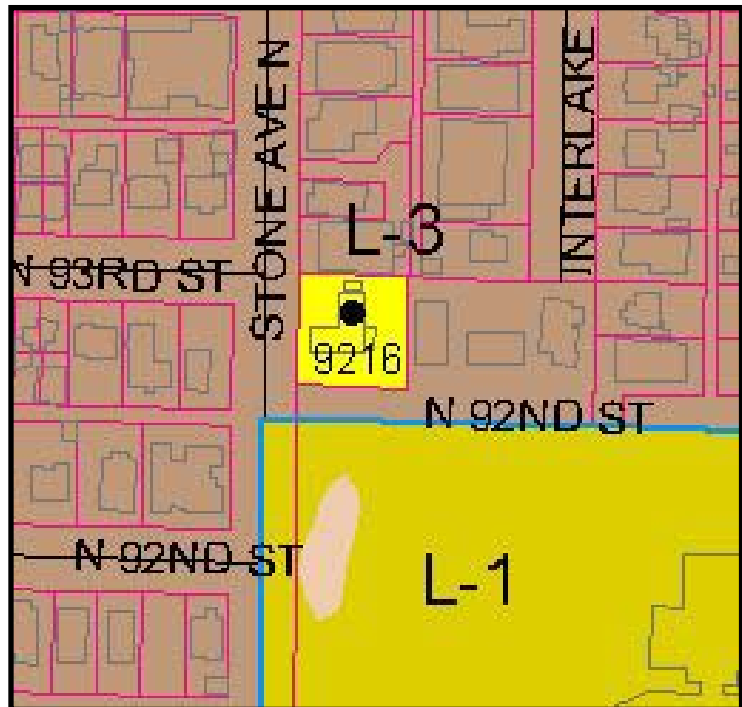
☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or  
involving another agency with jurisdiction.

## **BACKGROUND DATA**

### Site Description

The approximately 10,200 square foot property is located between Stone and Ashworth Avenues N in the Aurora-Licton Springs area of Seattle. Pedestrian access to the site is via Stone Ave N, which is paved and improved with sidewalks, concrete curbs and gutters. Vehicle access is provided by way of a ten (10') foot curbcut off of Stone Ave N. The four (4) townhouse structures have been reviewed for applicable code compliance, all under MUP No. 2005905 Permit No. 724920. The existing single structure on the site was removed.



The subject lot is zoned Multi-family Lowrise 3 (L-3). In the immediate vicinity to the north, lots are zoned L-3 and to the northwest lots are zoned Commercial 2 (C2-65'). To the west lots are zoned (L-3) as the zoning transitions into a Commercial 1 zone (C1-65'), and to the south lots are zoned (L-1). To the east, lots are zoned (L-2) and (SF-5000). Development in the immediate vicinity consists of a mix of one & two-story single-family dwelling units and small scale multi-family structures to the north, east and west with, which are all consistent with the Land Use Code. Notably, directly south of the subject site is the Indian Heritage School, which provides some common open space which serves as a neighborhood amenity. Also, North Seattle Community College is in close proximity to the site, lying northeast of the subject site.

### Proposal

The proposal is to subdivide one parcel into eight (8) unit subdivision lots with vehicle access provided via a ten (10') foot curbcut off of Stone Ave N. The eight new townhouse units will all have parking provided within the structures. Proposed lot sizes are as indicated in the summary above. Lots A, B, E, and F have direct pedestrian access to Stone Ave N. Lots C, D, G and H will have pedestrian access to Stone Ave N via a pedestrian access and utility easement on the southern lot line, being the south (5.5') of the west (37.72') of the parent lot. There is also pedestrian access to Stone Ave N from the central auto court area via the ten (10') curbcut which gives access to Stone Ave N by way of the associated ingress egress easement.

### Public Comments

The comment period for this proposal ended on October 15<sup>th</sup> 2003. During the public comment period, DCLU received two (2) written comments. The comments expressed concerns about neighborhood character, property maintenance issues, view blockage, property values, the process for building permits (no public comment required) and unit lot subdivisions (public comment required after construction is complete).

### ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Structural Reviewer the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family Lowrise 3 (L-3) use. The allowable density of the subject property is one unit per eight (800) hundred square feet of lot area. Given a lot area of approximately 10,200 square feet, thirteen (13) units are allowed and eight (8) are proposed. Maximum lot coverage is fifty (50%) percent, in this case forty-six (46%) is proposed. Front setbacks are an average of the setbacks of the first principal structures on either side, the maximum required setback is fifteen (15') feet and the

minimum is five (5') feet. The minimum side setback is five (5') feet; the actual required setback is based on the structure depth and height of the facade adjacent to the side property line. Rear setback is twenty-five (25') feet or fifteen (15) percent of the lot depth, in no case less than fifteen (15') feet, in this case it is fifteen (15) feet. The parent parcel provides adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (P.M.# 260431-4-047) to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on October 15<sup>th</sup> 2003. There is a six (6") inch sub-standard water main located in Stone Ave N which serves the site. There is an eight (8") inch sanitary sewer that serves the new development and unit lots located in Stone Ave N. Stormwater runoff discharge from new construction shall be to the existing twelve (12") inch public storm drain in Stone Ave N. The included easements in this unit lot subdivision are adequate for detention with controlled release as required. Plan review requirements were made at time of building permit application in accordance with any applicable stormwater ordinances in effect at that time.
4. The proposed short subdivision is consistent with and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed unit lot subdivision of land. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. Tree preservation was reviewed under the preceding building permit approved prior to the unit lot subdivision application. SMC 23.45.015 (C.1.b) requires that all new multifamily dwelling units plant or preserve on site trees. The lot size of the proposal requires that at least twenty caliper (20") inches of trees be planted or preserved on site. The tree requirement was reviewed under MUP No. 2205115 Permit No. 731485.
7. Four (4) two (2) unit townhouse structures currently are being developed on the subject site. Pursuant to SMC 23.24.045(A&B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be

subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions has been reviewed under MUP No. 2005905 Permit No. 724920. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A, B, C, D, E, F, G, and H are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas, driveway and pedestrian access if necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for unit lot subdivisions.

### Summary

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the Lowrise 3 (L-3) zone, including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole does meet all standards set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision

shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements; fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.

2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision (P.M. # 260431-4-047).
4. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
5. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements, if necessary.
6. Provide an area to allow for the posting of address signage for unit lots C, D, G, and H at a location visible from Stone Ave N and provide a covenant and/or an easement to ensure that address signage can be maintained.

Signature: (Signature on file) Date: November 17, 2003  
Lucas DeHerrera, Land Use Planner  
Department of Planning and Development  
Land Use Services

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